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OFFICE OF PETITIONS

In re Application of :
Anthony A. Ruffa et. al. :
Application No. 09/814,487 :
Filed: March 20, 2001 :
Attorney Docket No. 80095 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 16, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed May 29, 2001. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight July 29, 2001. A notice of abandonment was mailed October 24, 2003.

In response, petitioner submitted with the instant petition 1,330 for the petition to revive fee, an Oath/Declaration, and \$130 surcharge for the late filing of the Oath/Declaration.

The petition is **GRANTED**.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 308-6711.


Andrea Smith
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy